

Application No. 10/004,259
Paper Dated October 13, 2004
Reply to USPTO Corres. of Oct. 6, 2004
Attorney Docket No. 116-011833

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10/13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No. : 10/004,259 Confirmation No. 3750
Applicant : TOSHIKAZU TAKASE
Filed : November 1, 2001
Title : ANALYSIS SYSTEM AND ANALYSIS METHOD
Art Unit : 1743
Examiner : Latoya I. Cross
Customer No. : 28289

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the Election/Restriction Requirement set forth in the Office Action dated October 6, 2004, the Applicant provisionally elects to prosecute the claims in Group I (claims 1-8, 12-17, and 21-25).

The Applicant respectfully traverses the Restriction Requirement. The inventions of Groups I and II are not independent and distinct. The claims in Group I are system or apparatus claims and the claims in Group II are method claims. The limitations in the apparatus claims closely parallel the limitations in the method claims. The Examiner has acknowledged that the field of search is identical.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 13, 2004.

Lori A. Fratangelo

(Name of Person Mailing Paper)

Signature _____ Date 10/12/04

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The claims are clearly not independent since they are connected in design, operation, and effect (MPEP 808.01). The claims clearly are not distinct since they do not have different modes of operation, different functions, and different effects (MPEP 808.04).

The Examiner gives only conclusions and not reasons for justifying the Restriction Requirement. The Examiner is respectfully requested to reconsider the Restriction Requirement.

Respectfully submitted,

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By 

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